

Board of Community Health
Legislative Committee Meeting
February 10, 2005

The Board of Community Health Legislative Committee held its meeting at the Harry S. Downs Center for Continuing Education, Clayton College and State University, Morrow, Georgia.

Committee members present were Dr. Ann McKee Parker (chairman) and Richard Holmes.

Department of Community staff present were Commissioner Tim Burgess, Legislative and External Affairs Director Laura Jones and General Counsel Neal Childers.

Others present: Lori Jenkins, Mandy McRee, Samuel L. Dumas, Linda Simmons, Melvin Lindsey, Gabrielle King, Matthew Malok and Joy L. Davis.

Dr. Parker called the meeting to order and welcomed everyone to the Legislative Committee Meeting. She then turned the meeting over to Laura Jones. Ms. Jones said the Department is currently tracking over 40 bills. The Department has three bills: two of the three bills have been introduced; the Department expects the remaining bill to be introduced today or Monday (February 14) by Representative Carl Rogers.

Senate Bill 140

- Exempts CMOs from the independent review statute which is not adequate to comply with the federal fair hearing requirement for Medicaid recipients.
- Gives the Board of Community Health the authority to set the income limits governing the PeachCare program. The Board would also be authorized to impose premiums and co-pays for children under six years of age.
- Amends existing law to allow DCH to give its Third Party Administrator in the PeachCare program access to the Department of Labor wage data.
- Implements the Department's Medicaid Managed Care proposal and allow DCH to include members of the PeachCare for Kids program in managed care organizations.

House Bill 392

- Creates a Quality Assessment Fee on Care Management Organizations participating in Medicaid Managed Care. The bill establishes that the funds will be housed in a segregated account within the Indigent Care Trust Fund. It also provides for a method of calculating and collecting the fees as well as setting the penalties for failure to pay the assessment fees.

The last piece of the Department's legislative package is a bill that would make changes to the State Health Benefit Plan (SHBP). This bill has not been introduced yet but the Department has shared a draft with the author and he has already taken to the Legislative Counsel to be drafted. The four main provisions in this bill are:

1. Allows the Department to administer the SHBP plan as one fund and remove a requirement that the funds be maintained separately.
2. Allows public school retirees to pay their premiums monthly.
3. Allows the Board of Community Health to determine whether the employer contribution shall be determined based upon the percentage of the total salaries for each agency or on a per enrolled member basis.
4. Allows the Commissioner of Community Health to suspend coverage for employees whose employer has failed to remit the correct premiums for those employees. The coverage would be suspended until such time that the correct premium had been paid in full.

Ms. Jones reviewed several bills that the Department is tracking that have specific interest to the Department.

House Bill 390

- Creates a State Commission on the Efficacy of the Certificate of Need (CON) program. The responsibilities of the Commission are to study and evaluate the effectiveness and efficiency of the Georgia CON program. The Commission could also recommend if changes to the program are needed in order to achieve the policy objectives. The Commission will be staffed by DCH. The final report is due on or before June 30, 2006.

House Bill 358

- Requires CMOs to return prescription drug rebates to the State.

Senate Bill 90

- Prohibits smoking in all enclosed public places in the state except where otherwise authorized. The original bill called for the Department to be the agency to work with local governments and businesses throughout the state to advise them on the requirements of the act. The Department feels it was not the appropriate agency to perform that function and thought it better to rest with the Department of Human Resources, Division of Public Health. DCH was successful in getting a committee substitute introduced and passed out of committee earlier this week.

House Bill 166

- Establishes a new program whereby providers could provide free health care to the low-income population. In exchange they would be considered state employees which would grant them sovereign immunity from lawsuits. Also, it would provide provisional licenses for volunteers to practice in limited circumstances.

House Bill 270

- Exempts licensed pharmacists and nurses acting on behalf of pharmacists from the Certificate of Need requirement of a home health agency or home infusion agency who administer injectable medications in a patient's home.

There being no further business, the meeting was adjourned.

Ann McKee Parker, Ph.D.
Chairman, Legislative Committee